

## CARMAN JURY CANNOT AGREE; IS DISCHARGED

Ten for Acquittal Threaten  
to Throw Other Two  
Out of Window.

### DEBATE THIRTEEN HOURS

Woman Breaks Down and  
Weeps When Disagreement  
Reported—Faints in Cell.

### MAY BE RELEASED ON BAIL

Lawyers Will Ask Temporary Freedom  
This Morning and District Attor-  
ney Will Not Oppose Them.

By W. A. DAVENPORT.

Special to The Washington Herald.

Minneapolis, Long Island, Oct. 25.—After thirteen hours and fifteen minutes of the bitterest wrangling that the little Nassau County courthouse ever has known, the jury in the case of Mrs. Carman, charged with the murder of her husband, was discharged today. The jury, which was composed of twelve men, was divided 10-2 in favor of acquittal. The two men who were in the majority were Joseph H. Aston, manager of a publishing house, of Port Washington, and William G. Hovey, the attorney, who occupied chair No. 4 in the jury box.

### Jury Near First Split

Haggard, silent and hopeless, the jury gave up the fight at 10:59 in the morning and reported to Justice Kelly that there was not a chance of their agreeing. The deliberations were torn by arguments which could be heard on the courthouse steps and the ten men who fought for Mrs. Carman's liberation combined in open warfare against Aston and Hovey. They threatened to throw Aston "out of the window" and Aston stood his ground, defying them to carry out their threats. It was said that they would have done so had not Hovey, the rugged giant, jumped to Aston's side and declared that it would be necessary to throw him out also.

### Wrenched All Night

Five ballots were taken. The first, taken fifteen minutes after the jury retired at 9:05 on Saturday night, resulted in a vote of nine to three for acquittal. The preliminary vote found Marx Gettsch, the Hyde Park gardener, fined with Hovey and Aston. But a half hour's argument smashed the opposition of Gettsch and he joined the majority. Then, scoring food and without sleep, the twelve men wrangled through the night. Battered, hoarse, and snarling, they declared their hopelessness to Justice Kelly in a courtroom which presented the wildest picture in the history of New York criminal cases.

Before Justice Kelly, in Brooklyn tomorrow, J. J. Graham and George Mor-

## Mrs. Carman Considered By Noted Judge of Women

Women Are So Much Better Actresses Than Men that It Is  
Difficult to Convict a Clever One Even When Guilty.  
Mrs. Carman Alone Knows Whether She Killed Mrs.  
Bailey, Writes Laura Jean Libbey.

By LAURA JEAN LIBBEY.

The Washington Herald prints exclusively this morning in Washington Mrs. Libbey's wonderful analysis and interpretation of this most sensational trial. Hearst's New York American, Hearst's Boston American, Norman E. Mack's Buffalo Times, Victor Lawson's Chicago News, and other great newspapers, each in their own territory, print this story exclusively. It is copyrighted, and furnished by the McClure Newspaper Syndicate.

"OUR outward act is prompted by the within, and from the stinner's mind proceeds the sin."

"The best may slip, and the most cautious fall; He's more than mortal that ne'er errs at all."

THERE never was a greater tragedy which has darkened the life of a beautiful woman and ended the existence of a light-hearted, fair, young mother at the zenith of her charms than that which is occupying the center of the world's stage in the Carman case.

A fascinating woman, wife of a popular physician, standing trial for her life, accused of shooting to the death a vivacious woman patient who visited the doctor's office for professional services.

Jealousy is the peg upon which the crime is supposed to hang. The main defense is that the visit of the young matron to the doctor's office was her first one there, and that the physician's wife had never seen or heard of her. Therefore how could a wife be jealous of a person of whom she did not know the existence?

Like a tangled thread running through the silver warp comes the acknowledgment that the doctor's wife's unwilling lips that she had secretly installed in the office of the physician a small instrument called a dictograph—a fine, invisible wire, connected with her bedroom upstairs. For the benefit of those who may not quite grasp what this almost unheard-of little instrument is used for I explain: It is a very costly small mechanical arrangement, somewhat the size of a silver dollar, which records sounds from the slightest whisper, every word and distinctly, to a listening ear at the other end of the wire.

The doctor's wife was curious beyond restraining judgment to know what her husband and his fair patients talked of when there was apparently no one to hear, neither having the slightest suspicion that there was a concealed instrument recording their lightest word to listening ears.

### A FLASH, A CRASH, A BULLET—AND DEATH.

As the matron turned to leave there was a flash. The light, careless sentence, half uttered, never was finished. Simultaneously with the flash came a report, a crash of window glass, and a bullet sped to its deadly aim—the unfortunate woman's breast.

The fair, sweet, dead woman had not a known enemy on earth. She had a husband who loved her devotedly, whose faith in her was as strong as their very life. She had a fair young daughter, a dainty slip of a girl, who idolized her, and a dear old silver-haired mother.

CONTINUED ON PAGE TWO.

## NEW SUNDAY HERALD JUST GOBBLED UP

Presses Work Long Overtime  
Supplying People with First  
Metropolitan Issue.

### EVERYBODY PRAISES IT

Statesmen, Ministers, Mer-  
chants and Other Folk De-  
lighted at Enterprise.

### EVEN BETTER NEXT SUNDAY

Will Have Calendered Section with  
Added Features—Carried More Ad-  
vertising Than Ever Before.

Washington opened its eyes yesterday morning to greet its first metropolitan Sunday newspaper. It was the new Washington Herald, of course, new beginning with its very title line, and from there to the last page of its six big sections. It was a "go" from the start.

Washington "went to it" with a rush. It was just the sort of Sunday paper it wanted, the paper it ought to have had long ago, and it was The Herald that had to meet the situation, just as it has in the last year, anticipated the wants of its readers on week days, until its daily edition has become firmly established as Washington's one best bet in a newspaper way.

### Demand Ahead of Supply.

The Herald wants to express here its gratification at the appreciation of its efforts manifested by the people of Washington. It had prepared for a largely increased demand for yesterday's edition, but it has to apologize now for underestimating that demand. It seemed that everybody in Washington wanted a copy. Newsdealers and newsboys were on the jump supplying customers until afternoon and The Herald's motor delivery wagons were kept constantly on the move in response to demands by telephone for additional copies.

Soon after 8 o'clock in the morning the presses had to be started again and even this new supply was quickly absorbed.

As for Washington's verdict upon the new Sunday Herald, after spending the day exploring its wealth of contents, it was rendered unanimously by ministers and merchants, statesmen and government officials, society women, business men, and the men who run the street cars and collect the fares. They elected it a huge success by acclamation. Just which feature of the paper pleased them most it is difficult to determine.

### New Title Line Pleases.

Naturally the attractive new title line, being first to greet the eye, caused wide and favorable comment, but the four-page section devoted exclusively to half-tone illustrations of war scenes and portraits of persons, men and women now prominent in the news of the day, called forth endless encomiums. It was something new in Washington and established itself a favorite at once. The four-page section in four colors was voted a masterpiece of the engraving and printing art; nothing approaching it has ever been attempted by a Washington newspaper. Until yesterday the newspapers of the metropolitan cities had enjoyed a monopoly in this respect. The Herald, too, led all the competitors with its splendidly illustrated theatrical section, a treat such as newspaper readers devoted to the stage have not hitherto been able to enjoy.

All of the regular features of The Herald were there, too, only in enlarged and improved form. These included an expert review of the political situation on the editorial page, of special interest in view of the approaching Congressional elections; the magazine section, with its group of stories by famous authors; the best sporting section, the children's comic columns, the most complete society columns, all the news, local and telegraphic, and, above all, the latest and most reliable dispatches from the European war.

Besides all this, it is important to call attention to the advertising columns of yesterday's Herald. There the leading merchants of the city had a great deal to say, not only to the housewives but to the men of the house as well. There were in all about 125 columns of these messages to the people with money to spend, who want to know where to shop to advantage—more advertising than has ever appeared before in The Sunday Herald.

CONTINUED ON PAGE THREE.

## Russians Claim Capture Of Aerial Dreadnought

Paris, Oct. 25.—A remarkable new aerial dreadnought has been captured by the Russians in Transylvania, with her pilot the famous aviator, Blatche, according to a Petrograd dispatch to the Temps.

The machine measures fifty feet long, twenty feet high, and has an automatic engine and ample accommodation for a quick-firing gun and ammunition. The Russians are using it with wonderful results near Warsaw. They also are repairing a captured Zeppelin to use it against the enemy.

## Czar Saves General's Life By Threatening Reprisals

Paris, Oct. 25.—The czar saved the life of Gen. Martos, who was captured in East Prussia, by threatening to shoot summarily one hundred German officers, who are prisoners, if the Russian general was harmed.

A Petrograd dispatch to the Temps says the czar's threat followed the announcement by the Wolff Agency, the German official bureau that Gen. Martos was to be executed to expiate Russian cruelties.

## MONSTER GERMAN "42'S" COST \$12,000 A SHOT

Huge Howitzer Could Wreck Dover  
from Emplacements in Calais.  
It Is Claimed.

Special Cable to The Washington Herald. Rotterdam, Oct. 25.—Some light is now being thrown upon Germany's belief that they could bombard Dover from Calais. In an article just published it is asserted that the carrying power of the German 42-centimeter howitzers is one-third more than the space between the English and French coasts at the points where they most nearly approach each other. It is added, however, that the accuracy of their fire cannot be relied upon at that distance, 30,000 yards being given as the extreme range at which the giant guns can be regarded as weapons of precision.

The barrels of these monsters are twenty-four yards long. Each of their shots costs \$12,000. When the "42" is ready to fire those who work it retire a distance of 400 yards and press an electric button. The explosion is such that it would deafen any one in the immediate vicinity.

## RUSSIANS SUCCEED IN DRIVING BACK TEUTONS

Germans Cleared in Four Districts and  
Forced Back Into Prussia, Says  
Official Statement.

Special Cable to The Washington Herald. Petrograd, Oct. 25.—Minister of War Soukhomlinoff, in a statement issued tonight, sums up the situation in the following language:

"Between the East Prussian frontier and the River Nieman, the Russian army has been successful in driving back the Germans into Prussia and in clearing the governments of Kovno, Suwalki, Lomza and Plock of the enemy."

"On the left bank of the Vistula, toward Warsaw and the fortress of Ivangorod, commencing October 13, a great series of battles with the Austro-German armies was fought, which resulted on October 19 in a complete victory for the Russians."

"The enemy is retreating so fast that he is leaving behind him his wounded, and all the strongly fortified positions which he has been preparing. Heavy losses were sustained by the Prussian reserve guard corps."

## TEN THOUSAND TEUTONS DIE IN ARGONNE BATTLE

Allies Mow Down German Assaults  
of Trenches—Solid Line of Dead  
Stretches for Miles.

By C. V. HUNTELL.

Special Cable to The Washington Herald. Paris, Oct. 25.—Furious slaughter of the Germans in the Argonne region during last week was recorded in a letter from a French officer published tonight. The letter reads:

"One infantry regiment and a battalion of cavalry was strongly intrenched with the mission of holding an important strategic highway at midday. Four German columns, numbering 15,000 men, stormed the trenches."

"We have five quick-firing gun sections, and simultaneously all of them opened their fire into the German mass. It was horrible to see them fall in solid masses. We were unable, however, to stem the Teutonic flood. The enemy reached our trenches. A hand-to-hand bayonet encounter ensued."

"Our artillery got to work and the Germans retreated. But they charged again, and their loss was so frightful that a solid line of dead one mile long was piled up 400 yards from our trenches. Their total losses were placed at a minimum of 10,000."

## BOY'S NECK BROKEN IN FOOTBALL GAME

Aloysius Babbington, Jr., Sixteen Years  
Old, Is Also Paralyzed from  
Shoulders Down.

His neck broken, and body paralyzed from shoulders down, Aloysius Babbington, Jr., sixteen years old, 79 K street northeast, is at Sibley Hospital in practically a dying condition as a result of a blow he received yesterday morning during a football game at the old Capital League baseball grounds.

Two teams of youths ranging in age from fifteen to seventeen, met at 11 o'clock in a game for the championship of the neighborhood. Babbington played tackle for his eleven, and during one of the rushes he flung himself against a much heavier opponent, who was struggling to carry the ball over for a touchdown. It is believed his head struck the heavier form with too great a force. The youth was seen to crumple and fall to the ground.

Members of both teams, realizing he had been hurt, went to his assistance. He was conscious, but unable to tell how he was injured. He was taken to his home, but a short distance away, and at 1 o'clock was removed to Sibley Hospital upon advice of Dr. George Tully Vaughan, former surgeon general of the United States Navy, and Dr. James I. Kilroy.

As a last resort to save his life, Dr. Vaughan and Dr. Kilroy, famous from one end of the United States to the other for their surgical work, probably today will attempt a heroic operation to remove pressure from the spinal column.

\$100 to Harpers Ferry, \$125 Martinsburg, \$150 Berkeley Springs and \$200 Cumberland and Return. From Washington 3:25 a. m. Sunday Nov. 1, Baltimore and Ohio stopping at principal stations on Metropolitan Branch. Returning same day.—Adv.

## Germans Win Way Across Yser In Hail of Death; Rush 400,000 New Troops to Belgian Front

French Claim to Have Offset German Victory in West by  
Cutting Lines of Communication of Teutons Around  
St. Mihiel—Battle Around Lille Continues with Undiminished Fury and Without Either Side Gaining Noticeable Advantage—Allies Maintain Positions in the Argonne and Hold Their Own in Fierce Artillery Duel Around the Heights of Craonne.

## FURIOUS FIGHTING CONTINUES ON 30-MILE LINE FROM NIEUPORT TO THE LYS; GERMANS GAINING

The French and Germans both claim successes in the fighting yesterday. The results, as summed up in the warring capitals, follow:

PARIS—French artillery advances in Woivre region until guns dominate Thiencourt road to Brussels, one of the principal lines of communications of the Germans.

War office admits Germans have forced way across Yser, between Dixmude and Nieupoort, while fierce fighting rages on Flanders battle front as far south as River Lys.

Attacks by Germans west of Lille repulsed by French, who inflict heavy losses.

Heavy artillery duel northwest of Soissons and on heights of Craonne.

Whole regiment wiped out in Argonne when French drive Germans into woods.

Three German batteries, one of heavy guns, silenced on Upper Meuse by French guns.

LONDON—Germans rushing 400,000 more reinforcements to line attacking Belgians at Dixmude.

Belgians, during fog, capture German advanced post in desperate bayonet clash in trenches.

Ostend batteries of Germans hammered by British fleet and re-occupation of city is imminent. Belgians advancing on land from rear.

Submarine attacks repeated, but with no effect.

BERLIN—Enveloping campaign of allies effectually defeated. Prisoners of war held in Germany number 297,000, including twenty-seven general officers. Announced that it was the German submarine U-9 that sunk the British cruiser Hawke.

Yser battle in Belgium stubborn, but Germans have effected crossing in great force.

Germans advance in Argonne. Two French flying machines shot down near Toul.

## Belgians Are Driven Back From Lines at Nieupoort

Special Cable to The Washington Herald. London, Oct. 25.—Fresh German troops numbering in the neighborhood of 60,000 are being hurled from Germany, by way of Antwerp and Bruges, to the fighting line in the vicinity of Dixmude, where the full strength of the German attack is being directed against the allied line in the north.

Here the Germans are making the supreme effort of the Belgian campaign, and are massing troops for a final attack, which will mark the climax of the battle of Flanders, the greatest in the history of the war.

As fast as the German reinforcements arrive on the line they are hurled into the trenches, which are waist deep in water.

The casualties thus far have been enormous.

Cold Steel Wins Day.

One spectacular feat of the fighting of the past two days was a bayonet charge by the Belgians during a fog. The troops of King Albert, creeping forward close to the German trenches, suddenly leaped forward and captured a strong detached body of Germans without firing a shot, although the fighting with the bayonet was of the most ferocious and deadly character.

The German losses during the last week of fighting in the vicinity of Dixmude and toward the coast are reported to be in the neighborhood of 30,000 of whom 1,000 were drowned when the Belgians cut the dykes, flooding the country in front of the Yser.

The attack is being centered upon Dixmude, well to the south of the coast line, to escape the long range guns of Admiral Hood's flotilla of British monitors and the squadron of British and French battleships operating on the coast and in the channels of the Yser Canal.

Ostend Under Bombardment.

Bombardment of Ostend by the British vessels are no longer required to aid the left flank of the Belgian line resting on the coast, was begun in earnest today. Their target was the German batteries about Ostend, but one of six shells which fell short of the range today struck the Hotel Majestic in Ostend where the German staff was dining, according to a dispatch to the Amsterdam Telegraph. Several other buildings were damaged.

Recapture of Ostend by the allies is imminent as advance columns of Belgians are reported to be near the town.

Continued on page seven.

## ALLIES HALTED, CLAIMS BERLIN

Enveloping Movement to the  
North of the Western  
Theater Blocked.

## TAKE 296,869 PRISONERS

Of 5,401 Officers Captured, Twenty-  
seven are Generals—Lisbon Reports  
Royalist Movement as Gaining.

Special Cable to The Washington Herald. Berlin (by wireless, via Sayville, L. I.), Oct. 25.—The end of the twelfth week of the war was signalized, according to official accounts, by finally stemming the enveloping campaign which the allies for a month have directed against the Germans. The right flank movement northward and westward has been stopped and the Germans have begun slowly and definitely to push southward.

Even things in the eastern theater of war have not yet entered on a decisive phase. Specials from the Austrian headquarters report the battle continuing before Przemyel, where the front now has assumed a crescent shape. The Austrians are vigorously attacking the northern and southern portions of the enemy's army.

Some 1,300 Russian prisoners passed the headquarters yesterday and 15,000 more from Przemyel and Jaroslavl are reported en route.

Capture Twenty-seven Officers.

The use of an anti-cholera serum in the Austrian army has proved effective in a large percentage of the cases in the infected districts. The number of cases has greatly decreased and the army surgeons regard the danger of an epidemic as passed.

The total number of prisoners of war in the camps in Germany on October 23, it has been confirmed was 5,401 officers and 21,488 men, including six French, eighteen Russian, and three Belgian generals. Further transports of prisoners are en route from the front.

British papers report that the Kaiser issued on October 19 at Aix-la-Chapelle, an army order concerning "the detestable army of Gen. French." It is now officially stated that the Emperor, since the outbreak of the war, never was in Aix-la-Chapelle.

The czar has declared the Siberian and East Chinese railways subject to the conditions incident to a state of war.

Seize German Property.

It has been ascertained that the German submarine U-9 destroyed the British cruiser Hawke.

The French minister of justice has ordered the seizure of all property found to be owned by Germans, whether of commercial or private character.

Lisbon reports the royalist movement in Portugal is increasing. In numerous places there has been fighting with the insurgents, who are well armed.

An Italian telegraph agency at Rome reports that Cosacchi have captured a Zeppelin near Warsaw. It is now officially stated that no Zeppelin has been taken to Warsaw and that no such capture has been made there or elsewhere.

Cross Yser-Ypres Canal.

The following bulletin was received at the German embassy yesterday:

"Fighting on Yser-Ypres Canal extremely stubborn. In the north we succeeded in crossing the canal with strong forces. East of Ypres and southwest of Lille our troops slowly advanced, heavily fighting. British ships yesterday unsuccessfully bombarded Ostend."

"In the Argonne our troops also gained ground and took several machine guns, a number of prisoners, and two French aeroplanes were brought down. North of Toul near Flerrey the French declined the truce offered by us for burying the great number of their dead lying before the front and for taking care of the wounded."

## 750,000 GERMANS HAVE BEEN LOST IN BATTLES

Leipzig Newspaper Says Teuton Casualties Are Extremely Heavy—Fighting Strength Numbers 9,000,000.

Special Cable to The Washington Herald. Copenhagen, Oct. 25.—No official estimate of the heavy German losses in the north of France has yet appeared in the Berlin papers.

Private dispatches, however, admit that the German casualties have been severe. The Leipziger Volkszeitung issues a statement that the total German losses so far cannot be less than 750,000.

An Italian military critic estimates that Germany's fighting strength totals 9,000,000 men.

The Cologne Zeitung says the British losses, considering the size of the expeditionary force, have been enormous, the percentage being higher than the German.

If You Were One of the Unfortunate  
Ones Unable to Secure a Copy of  
**YESTERDAY'S  
SUNDAY HERALD**  
You Missed Washington's Best Sunday  
Newspaper

## YOU MISSED

—the only four-colored magazine section issued by a Washington newspaper—the finest color printing ever issued by any newspaper anywhere. Yesterday's magazine section featured (with illustrations) "Feeding a Family of a Million Ravenous Soldiers," "The Lava of War's Volcano—The Cosacchi," "Made-in-America Toys," "What Your Tongue Tells Without Speaking," "In the Path of Napoleon," a Page of Fashions, "M. Quada's Sense and Nonsense," and four fine stories, one by Richard Harding Davis and another by Rupert Hughes.

—The HERALD'S "Pictorial Review"—an illustrated section of happenings and personages connected with the great European conflict, including the picture of the first German to get the "Iron Cross," French and German cavalry in action, modern implements of war, etc. So much for war. On the side of peace there appeared the first official photograph of his holiness, Benedict XV, some American styles for American women, and photographs of prominent sojourners in the National Capital. The only section of the kind published by any Washington newspaper.

—An eight-page Society, Fraternal, and Club Section, ably edited and attractively illustrated.

—The largest and most elaborately illustrated Theatrical Section ever issued by a Washington newspaper, containing twenty-one photographic reproductions altogether.

—A four-color Comic Section, illustrating the doings of "Sambo," "The Van Leons," "Old Pop Perkins," "Uncle Jim and Ted and Tim," "Pa's Important Son-in-law," and "The District School."

—And the best twenty (\$20) page Main News and Sporting ("Pink") Section ever issued in the National Capital.

Now's the time to place your order for  
**NEXT SUNDAY'S HERALD**  
Price, 5 cents